



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

PATENT
APPLICATION

In re PATENT APPLICATION of

Inventor(s): FORTE

Appln. No.: 09 374,117

Series Code ↑

Serial No. ↑

Group Art Unit: 1771

Examiner.: T. MORRIS

Atty. Dkt. P 251091 K-C 13969.1

M#

Client Ref

Filed: August 16, 1999

Title: MULTILAYER BREATHABLE FILM AND A METHOD
FOR MAKING A MULTILAYER BREATHABLE FILM

Date: June 12, 2003

Mail Stop Appeal Brief-Patents

Hon. Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated February 12, 2003 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" statement filed: ☐ herewith. ☐ previously.
6. ☐ Fee **NOT** required because paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd, enter	\$320/160	\$320 119/219
If box 2 above is X'd, enter	\$320/160	\$0 120/220
If box 3 above is X'd, enter	\$280/140	\$0 121/221
If box 4 above is X'd, enter nothing	- 0 - (no fee)	
8. Original due date: May 12, 2003		
9. Petition is hereby made to extend the original due date (1 mo) \$110/\$55		115/215
to cover the date this response is filed for which the (2 mos) \$410/\$205		116/216
requisite fee is attached. (3 mos) \$930/\$465		117/217
(4 mos) \$1,450/\$725		118/218
(Usable only if box 2 is X'd--- 5 mos) \$1,970/\$985	+\$110	128/228
10. Enter any previous extension fee paid <input type="checkbox"/> previously since above		
Original due date (item 8); <input type="checkbox"/> with concurrently filed amendment	-\$0	
11. Subtract line 10 from line 9 and enter: Total Extension Fee		+\$110
12. TOTAL FEE =		\$430

PLEASE CHARGE
OUR DEP. ACCT.

(Our Deposit Account No. 03-3975)

(Our Order No. 41370 251091
C# M#)

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

06/13/2003 SSESHE1 00000072 033975 09374117

01 FC:1402 320.00 CH
02 FC:1251 110.00 CHPillsbury Winthrop LLP
Intellectual Property GroupP.O. Box 10500
McLean, VA 22102
Tel: (703) 905-2000By: Atty: Thomas A. Cawley, Jr., Ph.D. Reg. No. 40944

Sig:

Fax: (703) 905-2500
Tel: (703) 905-2144

Atty/Sec: TAC/smm

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments